

### **Remarks**

By this Amendment, claims 19, 21, 26 and 34 are amended. After entry of this Amendment, claims 19-36 will remain pending. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Applicant appreciates the courtesies extended by Examiner Reifsnyder to the undersigned during the September 14, 2004, telephone interview. During the interview, amendments to original claim 19 were discussed in connection with the outstanding prior art rejections. Examiner Reifsnyder agreed that the amendments as discussed would appear to overcome the rejections based on the applied references. The substance of the interview is summarized in the following remarks.

As indicated, claim 19 is amended to specify that the recited method relates to conveying influent to a head cell, and that the act of channeling influent from the influent source occurs in a duct.

As amended, claim 19 recites that the method of conveying influent to a head cell includes:

- providing an influent source at a first level above the head cell
- channeling influent from the influent source in a duct to the head cell at a second level lower than the first level
- changing a velocity of the influent in the duct by channeling the influent through a portion of the duct having a changing cross-sectional area
- at the head cell, separating the influent from the duct into multiple flows and conveying the multiple flows to the respective multiple trays of the head cell.

As discussed during the interview, neither applied reference shows or even teaches the features recited in claim 19. In Schneider, the pipe 2 for the supply of sludge has a constant cross-sectional area, and there is no disclosure regarding the velocity at which the sludge should be supplied or how it is maintained.

Similarly, Vane does not disclose or even teach a duct leading to a treatment apparatus in which the velocity of the influent is changed by channeling it through a portion of the duct having a changing cross-sectional area. Vane also does not disclose that the influent is maintained at a predetermined velocity before it reaches the treatment apparatus.

Independent claim 26 has also been amended. Claim 26 recites the acts of providing an influent source at a first level above the treatment apparatus, conveying the influent with a duct along a flow path from the influent source to the treatment apparatus at a second level lower than the first level, and, at the treatment apparatus, distributing the influent into multiple independent flows at different levels below the first level while maintaining a velocity of the influent substantially at a predetermined value. Vane and Schneider, whether considered alone or in combination, fail to disclose or render obvious the features of claim 26.

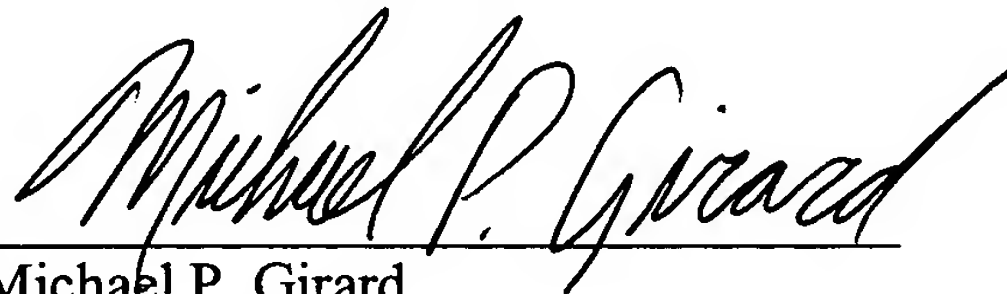
Based on the foregoing, applicant respectfully submits that the 35 U.S.C. § 102(b) rejections of claims 18-26 [sic: 19-26] over Schneider and over Vane should be withdrawn. Claims 19-26 are allowable.

Applicant appreciates the indication that claims 34-36 contain allowable subject matter. Applicant has amended claim 34 as suggested by deleting "and" from line 8. This amendment does not affect the literal scope of claim 34.

Based on the foregoing, applicant respectfully submits that all of the pending claims are directed to allowable subject matter and that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, the Examiner is requested to contact applicant's representative by telephone.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By   
Michael P. Girard  
Registration No. 38,467

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391  
Facsimile: (503) 228-9446